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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/576,038	05/23/2000	Mark Sean Hefty	219.38022X00	4371
7590 01/26/2007 Christopher Gagne c/o BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP 12400 Wilshire Boulevard Seventh Floor Los Angeles, CA 90025			EXAMINER NGUYEN, THANH T	
			ART UNIT 2144	PAPER NUMBER
SHORTENED STATUTORY PERIOD OF RESPONSE		MAIL DATE	DELIVERY MODE	
3 MONTHS		01/26/2007	PAPER	

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

**Office Action Summary**

Application No.

09/576,038

Applicant(s)

HEFTY ET AL.

Examiner

Tammy T. Nguyen

Art Unit

2144

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE (3) MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on December 18, 2006 :
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 32-55 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 32-55 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s) \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:



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***Detailed Office Action***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on November 28, 2006 has been entered.
2. Claims 32-55 are presented for examination.

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 32-43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Beshai et al., (hereinafter Beshai) U.S. Patent No. 6,721,271 in view of Massa et al., (hereinafter

Massa) U.S. Patent No. 6,658,469 further in view of Phil Edholm., (hereinafter Edholm)  
U.S. Patent No. 6,600,721.

5. As to claims 32, Beshai discloses the invention substantially as claimed, Beshai teaches including a method comprising: if an amount of data located in a first memory buffer in a local system does not exceed a maximum transfer size [see col.12, lines 26-40 (the number segments in the buffer equal or exceeds the parcel size)] associating the data with a first transfer operation (see col.14, line 65 to col.15, line 28); and if the amount of data associated with the first transfer operation has not reached the maximum transfer capacity, associating: data located in one or more portions of one or more other memory buffers with the first transfer operation (see col.18, lines 9-35). But Beshai does not explicitly disclose transfer operation to a remote memory in a remote system with other memory buffers in the local system.
6. In the same field of endeavor, Massa discloses (e.g., method and system for switching between network transport providers). Massa discloses transfer operation to a remote memory in a remote system with other memory buffers in the local system [see fig.5 of Massa and col. 13, lines 30-63] (SAN provider supports transferring data directly from a remote buffer to a specified local buffer through RDMA read operations).
7. Accordingly, It would have been obvious to one of ordinary skill in the networking art at the time of the invention was made to have incorporated Eydelman's teaching of method and system for switching between network transport providers with the teaching of Beshai to have transferring operation to a remote memory in a remote system with other

memory buffers in the local system for the purpose of maximizing the communication bandwidth and minimizing the communication latency observed by the communicating applications[see Massa col.3, line 66 to col.4, line 2]. However, Beshai does not explicitly teach data is to be transferred in a single transfer operation to a remote memory buffer.

8. In the same field of endeavor, Edholm discloses (e.g., end node pacing for QOS and bandwidth management). Edholm discloses data is to be transferred in a single transfer operation to a remote memory buffer [see Edholm col.4, lines 4-15 (transfer the packet to a memory buffer)].
9. Accordingly, It would have been obvious to one of ordinary skill in the networking art at the time of the invention was made to have incorporated Edholm's teaching of end node pacing for QOS and bandwidth management with the teaching of Beshai for the purpose of provide to increase the complexity and expense of the network system [see Edholm col.1, lines 45-50]. Thus, Beshai provides the motivation by stating providing for transfer to be simpler, and therefore faster and easier to scale up [see Beshai, col.4, lines 39-40].
10. As to claim 33, Beshai teaches the invention as claimed, additionally comprising transferring the data associated with the first transfer operation (see abstract).
11. As to claim 34, Beshai teaches the invention as claimed, additionally comprising associating a descriptor with the first transfer operation (see col. 10, lines 48-65).
12. As to claim 35, Beshai teaches the invention as claimed, additionally comprising associating data with one or more subsequent transfer operations (see col. 17, lines 18-51).

13. As to claim 36, Beshai teaches the invention as claimed, wherein the first and one or more subsequent transfer operations are performed in response to one or more RDMA (Remote Direct Memory Access) requests (see fig.16 memory 0).
14. As to claim 37, Beshai teaches the invention as claimed, additionally comprising: if the amount of data located in the first memory buffer exceeds the maximum transfer size: associating a portion of the data with the first transfer operation: and associating one or more subsequent portions of the data with one or more subsequent transfer operations (see col.17, lines1-67).
15. As to claim 38, Beshai teaches the invention as claimed, additionally comprising: associating a descriptor with the first transfer operation; and transferring the data associated with the first transfer operation (see abstract).
16. As to claim 39, Beshai teaches the invention as claimed, additionally comprising: associating a descriptor with each of the one or more subsequent transfer operations; and transferring the data associated with the one or more subsequent transfer operations (see col.17, lines 1-67).
17. As to claim 40, Beshai discloses the invention substantially as claimed, Beshai teaches teach including an apparatus comprising: an RDMA (remote direct memory access) manager operable to service one or more RDMA requests (see Fig.1), and to: determine if an amount of data looted in a first memory buffer exceeds a maximum transfer size [see col.12, lines 26-40 (the number segments in the buffer equal or exceeds the parcel size)], and: if it is determined that the amount of data located in a first memory buffer does not exceed the maximum transfer size [see col.12, lines 26-40 (the number segments in the

buffer equal or exceeds the parcel size)], then associate the data with a first transfer operation (see col.14, line 65 to col.15, line 28); and if the amount of data an associated with the first transfer operation has not reached the maximum transfer size, associate data located in one or more portions of one or more other memory buffers with the first transfer operation (see col.18, lines 9-35). But Beshai does not explicitly disclose transfer operation to a remote memory in a remote system with other memory buffers in the local system.

18. In the same field of endeavor, Massa discloses (e.g., method and system for switching between network transport providers). Massa discloses transfer operation to a remote memory in a remote system with other memory buffers in the local system [see fig.5 of Eydelman and col. 13, lines 30-63] (SAN provider supports transferring data directly from a remote buffer to a specified local buffer through RDMA read operations).
19. Accordingly, It would have been obvious to one of ordinary skill in the networking art at the time of the invention was made to have incorporated Massa's teaching of method and system for switching between network transport providers with the teaching of Beshai to have transferring operation to a remote memory in a remote system with other memory buffers in the local system for the purpose of maximizing the communication bandwidth and minimizing the communication latency observed by the communicating applications[see Massa col.3, line 66 to col.4, line 2]. However, Beshai does not explicitly teach data is to be transferred in a single transfer operation to a remote memory buffer.

20. In the same field of endeavor, Edholm discloses (e.g., end node pacing for QOS and bandwidth management). Edholm discloses data is to be transferred in a single transfer operation to a remote memory buffer [see Edholm col.4, lines 4-15 (transfer the packet to a memory buffer)].
21. Accordingly, It would have been obvious to one of ordinary skill in the networking art at the time of the invention was made to have incorporated Edholm's teaching of end node pacing for QOS and bandwidth management with the teaching of Beshai for the purpose of provide to increase the complexity and expense of the network system [see Edholm col.1, lines 45-50]. Thus, Beshai provides the motivation by stating providing for transfer to be simpler, and therefore faster and easier to scale up [see Beshai, col.4, lines 39-40].
22. As to claim 41, Beshai teaches the invention as claimed, the RDMA manager additionally operable to transfer the data associated with the first transfer operation (see abstract).
23. As to claim 42, Beshai teaches the invention as claimed, the RDMA manager additionally operable to associate data with one or more subsequent transfer operations (see col.17, lines 1-67).
24. As to claim 43, Beshai teaches the invention as claimed, the RDMA manager additionally operable to: determine if the amount of data located in the first memory buffer exceeds the maximum transfer size, and: if the amount of data located in the first memory buffer exceeds the maximum transfer size: associate a portion of the data with the first transfer operation; and associate one or more subsequent, portions of the data with one or more subsequent transfer operations (see fig.17).



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25. Claim 48 has similar limitations as claim 32; therefore, it is rejected under the same rationale.
26. Claim 53 has similar limitations as claim 43; therefore, it is rejected under the same rationale.
27. Claims 49-52 have similar limitations as claims 33-36; therefore, they are rejected under the same rationale.
28. Claims 54, and 55 have similar limitations as claims 38, and 39; therefore, they are rejected under the same rationale.
29. Claims 44-47 are rejected under 35 U.S.C. 103(a) as being unpatentable over Beshai et al., (hereinafter Beshai) U.S. Patent No. 6,721,271, in view of Massa et al., (hereinafter Massa) U.S. Patent No. 6,658,469 in view of Phil Edholm., (hereinafter Edholm) U.S. Patent No. 6,600,721 further in view of Mauger et al., (hereinafter Mauger) U.S. Patent No. 6,917,586.
30. As to claim 44, Beshai discloses the invention substantially as claimed, Beshai teach including a system comprising: a host fabric adapter; and an RDMA (remote direct memory access) manager included in a software stack of the host fabric adapter, the RDMA manager operable to service one or more RDMA requests (see fig.16), and to: determine if an amount of data located in a first memory buffer exceeds a maximum transfer size [see col.12, lines 26-40 (the number segments in the buffer equal or exceeds the parcel size)] and; if it is determined that the amount of data located in the first

memory buffer does not exceed the maximum transfer size, then associate the data with a first transfer operation (see col.14, line 65 to col.15, line 28.): and if the amount of data associated with the first transfer operation has not reached the maximum transfer size, associate data located in one or more portions of one or more other memory buffers of the plurality of memory buffers with the first transfer operation (see col.18, lines 9-35, and col.13, lines 9-17). But Beshai does not explicitly disclose transfer operation to a remote memory in a remote system with other memory buffers in the local system.

31. In the same field of endeavor, Massa discloses (e.g., method and system for switching between network transport providers). Massa discloses transfer operation to a remote memory in a remote system with other memory buffers in the local system [see fig.5 of Massa and col. 13, lines 30-63] (SAN provider supports transferring data directly from a remote buffer to a specified local buffer through RDMA read operations).
32. Accordingly, It would have been obvious to one of ordinary skill in the networking art at the time of the invention was made to have incorporated Massa's teaching of method and system for switching between network transport providers with the teaching of Beshai to have transferring operation to a remote memory in a remote system with other memory buffers in the local system for the purpose of maximizing the communication bandwidth and minimizing the communication latency observed by the communicating applications[see Massa col.3, line 66 to col.4, line 2]. But Beshai does not explicitly teach fabric adapter. However, Mauger teaches fabric adapter (fig.3)(see 8, line 58 to col.9, line 35). It would have been obvious to one of ordinary skill in the art at the time of the invention was made to implement the teachings of Mauger into the computer

system of Beshai to have fabric adapter because it would have an efficient system that can provide specific functions that enable any-server-to-any-storage device connectivity through the use of Fibre Channel switching technology. However, Beshai does not explicitly teach data is to be transferred in a single transfer operation to a remote memory buffer.

33. In the same field of endeavor, Edholm discloses (e.g., end node pacing for QOS and bandwidth management). Edholm discloses data is to be transferred in a single transfer operation to a remote memory buffer [see Edholm col.4, lines 4-15 (transfer the packet to a memory buffer)].
34. Accordingly, It would have been obvious to one of ordinary skill in the networking art at the time of the invention was made to have incorporated Edholm's teaching of end node pacing for QOS and bandwidth management with the teaching of Beshai for the purpose of provide to increase the complexity and expense of the network system [see Edholm col.1, lines 45-50]. Thus, Beshai provides the motivation by stating providing for transfer to be simpler, and therefore faster and easier to scale up [see Beshai, col.4, lines 39-40].
35. Claim 45 has similar limitations as claim 41; therefore, it is rejected under the same rationale.
36. Claim 46 has similar limitations as claim 42; therefore, it is rejected under the same rationale.
37. Claim 47 has similar limitations as claim 43; therefore, it is rejected under the same rationale.

### ***Response to Arguments***

38. Applicant's arguments with respect to claims 32-55 have been considered but are moot in view of the new ground(s) of rejection. Applicant's arguments include the failure of previously applied art to expressly disclose if an amount of data located in a first memory buffer in a local system does not exceed a maximum transfer size for a single transfer operations to a remote memory buffer in a remote system (see Applicant's response, Dated December 28, 2006, Page 8). It is evident from the detailed mappings found in the above rejection(s) that Massa and Beshai disclosed this functionality (see fig.5 of Massa and col. 13, lines 30-63] (SAN provider supports transferring data directly from a remote buffer to a specified local buffer through RDMA read operations). Further, it is clear from the numerous teachings (previously and currently cited) that the provision for disclosing if an amount of data located in a first memory buffer in a local system does not exceed a maximum transfer size for a single transfer operations to a remote memory buffer in a remote system was widely implemented in the networking art. Thus, Applicant's arguments drawn toward distinction of the claimed invention and the prior art teachings on this point are not considered persuasive.

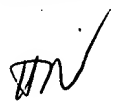
### ***Conclusion***

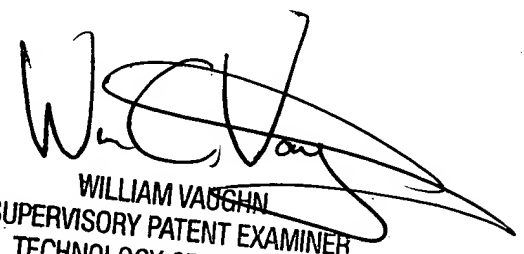
39. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tammy T. Nguyen whose telephone number is 571-272-3929. The examiner can normally be reached on Monday - Friday 8:30 - 5:30.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, *William Vaughn* can be reached on 571-272-3922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

  
January 19, 2007

  
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